

## **REMARKS**

Applicant respectfully requests allowance of the subject application. Claims 1, 4-6, 8, 10-16, 19-24 and 47-52 are pending. Claims 22 and 47 are amended and claim 52 is new, support for the amendment and new claim be found throughout the specification and particularly at paragraphs [0010] and [0011].

## **Interview Summary**

Applicant's attorney, Nathan Grebasch, wishes to thank the Examiner for conducting a telephonic interview on June 26, 2008.

During the interviews, Applicant's attorney and the Examiner discussed the pending 35 U.S.C. §103(a) rejection including the Ganesan/Tobin combination, in particular Counsel noted that Tobin is directed to a system in which the contended hosting entity and the contended third party are dependent, e.g., the businesses have a preexisting relationship. For example, Tobin discusses how a flower and gift marketing company may provide services for a flower shop. Counsel and the Examiner additionally discussed the Tobin reference's focus on providing generic information (e.g., information regarding flowers available for purchase) rather than "user-specific data." No agreement was reached.

Applicant respectfully requests a phone call if the Examiner believes there are any further issues that might delay issuance.

## **Claim Rejections 35 USC §103**

Claims 1, 4-6, 8, 10-16, 19-24 and 47-51 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,055,567 to Ganesan et al.

(hereinafter “Ganesan”) in view of by U.S. Patent No. 6,141,666 to Tobin et al. (hereinafter “Tobin”). The Applicant respectfully traverses the rejection.

**Claim 1**, in part, recites:

- presenting a page on a network site sponsored by a hosting entity;
- offering as part of the page an option to view user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity;
- registering the particular user with the hosting entity;
- whereupon activation of the option on the hosting entity’s page by a particular user of the hosting entity, linking to the third party’s network site, wherein the linking comprises addressing a universal resource locator (URL) associated with the third party’s network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page;
- enabling access to the third party’s network site without registering the particular user with the third party; and
- presenting, to the particular user, the new page at the third party’s network site that incorporates the user-specific data and that identifies the hosting entity.

In order for a *prima facie* case of obviousness to be proper, the Office is obligated to show that each of the Graham Factors has been satisfied. *M.P.E.P.* §2141 (II). In the present case, the Office has failed to meet this burden. Thus, the rejection is improper. Additionally, when making out an obviousness rejection, the Office is obligated to consider each and every feature recited in the claim (*M.P.E.P.* §2143.03), consider the invention as a whole (*M.P.E.P.* §2141.02) and consider the references as a whole, e.g., in the reference’s entirety (*M.P.E.P.* §2141.02(VI)).

Take for example the Ganesan reference, the Ganesan reference merely teaches that a “billing entity frame” may be provided on the banking entity’s home page and does not teach or suggest “offering as part of the page an option to view

user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity” or “whereupon activation of the option on the hosting entity’s page by a particular user of the hosting entity, linking to the third party’s network site, wherein the linking comprises addressing a universal resource locator (URL) associated with the third party’s network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page”. In order to correct these defects in the Ganesan reference, the Office cited the Tobin reference. Applicant disagrees with the Office’s contention that Tobin corrects Ganesan’s deficiencies. The combination of Ganesan/Tobin is improper as Tobin teaches away from Ganesan and the combination of Ganesan/Tobin fails to teach each and every feature recited in claim 1.

Tobin on the whole teaches that a flower shop (contended by the Office to be the hosting entity) may employ the services of a marketing company (contended by the Office to be the third party) to provide website pages. Tobin specifically teaches that the flower shop and the marketing company are to have a preexisting relationship, e.g., the flower shop “depends” on the marketing company to provide webpages on behalf of the flower shop. Tobin, Col. 5, lines 1-18. As a result, Tobin fails to teach “at a network site owned by a third party that is independent from the hosting entity”. In addition, Tobin teaches away from the feature of “by a third party that is independent from the hosting entity” because Tobin specifically describes that the flower shop and the marketing company are to have a relationship.

In addition, the information provided by the marketing company (contended by the Office to be the third party) is not “user-specific” as recited in

claim 1. Rather, the marketing company provides general information about the flower shop's products, e.g., bouquets available for purchase. Tobin Col. 5, lines 50-55. The Office's pending rejection fails to address why one of ordinary skill in the art at the time the invention was made would have ignored the fact that Tobin is not providing "user-specific data" when making the contended combination. Thus, Tobin on the whole teaches away from "user-specific data" in-favor of generic type data, e.g., flowers for purchase.

Moreover, Tobin does not correct Ganesan's failure to teach "enabling access to the third party's network site without registering the particular user with the third party" as is recited in claim 1. Tobin is silent on the feature of "without registering the particular user". Ganesan also does not teach or suggest this feature as a user never leaves the bank's website. For at least the above reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

**Claims 4-6, 8, 10 and 11** are dependent claims which depend either directly or indirectly from claim 1 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 12** is allowable based on the same rationales as discussed with respect to claim 1. Removal of the pending rejection is requested and allowance is earnestly solicited.

**Claim 13**, in part, recites:

- presenting a page on a network site sponsored by a hosting entity to a particular user;
- requiring the particular user to logon with the hosting entity's network site;
- offering as part of the page an option to view user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity;
- whereupon activation of the option on the hosting entity's page by the particular user of the hosting entity, linking to the third party's network site, wherein the linking comprises supplying, to the third party network site, page formatting information to present a new page by the third party network, the page formatting information enabling an appearance of the new page that resembles the page presented by the hosting entity's network site;
- enabling access to the third party's network site without logging on the particular user with the third party's network site; and
- presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data and that has the appearance of the page presented by the hosting entity's network site.

The pending rejection of claim 13 over Ganesan in view of Tobin is improper as a *prima facie* case of obviousness has not been shown. In particular, the Office has failed to show where the combination of Ganesan/Tobin teaches the feature of “enabling access to the third party's network site without logging on the particular user with the third party's network site”. Ganesan does not teach this feature as a user never leaves the bank's website. The Office has not cited Tobin as correcting this deficiency.

Moreover, the Office has failed to address Tobin's disclosure of the contended third party providing generic data, e.g., flowers available for purchase. Thus, not only does Tobin fail to teach “user-specific data” but Tobin teaches away from this feature by providing generic data. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the

prior art. *In re Ryoka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). *See also In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

In addition, the Office has failed to consider both the Ganesan and Tobin references as a whole. For example, the Office has failed to address Tobin's teaching that the contended hosting entity and the contended third party are to be related, e.g., dependent. Tobin, Col. 5, lines 1-18. For at least the above reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

**Claims 14-16 and 19-21** are dependent claims which depend either directly or indirectly from claim 13 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 22**, in part, recites:

- presenting a page on a network site sponsored by a hosting entity;
- enabling users to register with the hosting entity in order to access information on the network site;
- offering as part of the page an option to view user-specific data wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity; and
- whereupon activation of the option on the hosting entity's page by a particular user of the hosting entity, linking to the third party's network site without requiring the particular user to first register with the third party and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page at the third party's network site and presenting the new page at the third party's network site that identifies the hosting entity as sponsoring access to the user-specific data and associates the user-specific data with a provider of the user-specific data.

In light of the above amendment to claim 22, removal of the pending rejection to claim 22 is requested. The pending rejection is improper because neither Ganesan nor Tobin alone or in combination teach or suggest the recited features including the feature of “presenting the new page at the third party’s network site that identifies the hosting entity as sponsoring access to the user-specific data and associates the user-specific data with a provider of the user-specific data.” Allowance of claim 22 is respectfully requested.

**Claims 23 and 24** are dependent claims which depend either directly or indirectly from claim 22 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 47**, in part, recites:

- receiving, at a third party network site:
  - an identifier which identifies a financial institution;
  - a branding indicia of the financial institution; and
  - a token that identifies a customer of the financial institution;
- retrieving data associated with the customer of the financial institution using the token;
- presenting a web page at the third party network site that is formatted, branded and styled to resemble a web page of the financial institution, using the identifier and the branding indicia of the financial institution; and
- displaying the data associated with the customer of the financial institution on the web page in which the data is associated with the third party.

In light of the above amendment, removal of the pending rejection to claim 47 is requested and allowance is solicited. The pending rejection is improper

because neither Ganesan nor Tobin alone or in combination teach or suggest the recited features including the feature of “displaying the data associated with the customer of the financial institution on the web page in which the data is associated with the third party.”

**Claims 48-51** are dependent claims which depend either directly or indirectly from claim 47 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

The pending rejection if applied to new claim 52 would be improper for the reasons discussed above.



### **Conclusion**

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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